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REMARKS

Applicant hereby responds to the Office Action mailed November 12, 2002, in the above-captioned application. Entry of the foregoing amendments to claims 7 and 15, entry of new claims 20 and 21, entry of the substitute abstract of the disclosure, and reconsideration of claims 1, 4, 7-9, 12 and 15, are respectfully requested.

In response to the restriction requirement imposed between claims 1-17 and claims 18-19, the election of claims 1-17 is hereby affirmed.

Claims 7 and 15 have been amended to recite more clearly that the "at least one agent" that is required in each of those claims is in addition to the ozone which is required in independent claims 1 and 9 from which claims 7 and 15 depend, respectively. The claims as amended are supported at, for instance, page 7, lines 19-22 of the specification.

New claims 20 and 21 are presented which depend from claims 1 and 9, respectively. Claims 20 and 21 recite that the velocity of each of the sprays of sanitizing liquid is at least 25 feet per second. This feature is disclosed at page 8, lines 25-26 of applicants' specification.

A new abstract has been provided which is believed ~~to conform to the guidelines set forth in the Office~~ Action.

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Claims 1, 4, 7-9, 12 and 15 stand rejected under 35 U.S.C. 103(a) as obvious from U.S. Patent No. 5,858,435 ("Gallo") in view of U.S. Patent No. 4,849,237 ("Hurst"). This rejection is respectfully traversed.

One reason that claims 1, 4, 7-9, 12 and 15 are allowable over Gallo and Hurst is that these claims all require spraying the sanitizing solution at a velocity sufficient to wet microbes adhered to the surface of the food product, whereas the references have no teaching about the velocity of the spray. The disclosure in Gallo that expresses the flow rate in terms of gallons per minute is only a volumetric flow rate and is not a velocity which is in terms of feet per second. The references' disclosure of a volumetric flow rate does not inherently disclose, or even suggest, a particular velocity such as at least 25 feet per second. Indeed, Gallo does not recognize any significance to the velocity of the stream, because he employs brushes to dislodge material from the surfaces of the food product whereas applicants prefer to use the stream itself for that purpose.

It is noted here that new claims 20-21 explicitly recite that the velocity of the stream of sanitizing liquid is at least 25 feet per second, which is not disclosed or suggested in either reference.

Another reason that claims 1, 4, 7-9, 12 and 15 are allowable over Gallo and Hurst is that these claims all require spraying the sanitizing liquid onto the food product "from a

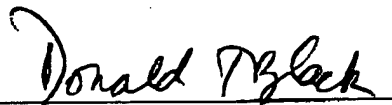
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plurality of directions" whereas Gallo discloses only spray heads that are in a single-file array and only above the food product. Hurst has no disclosure of spraying at all.

Claims 7 and 15 are believed to be allowable over Gallo and Hurst for the additional reason that the references do not teach or suggest the use of an agent which inactivates microbes, in addition to the ozone that is present in the sanitizing liquid.

For all the foregoing reasons, applicants respectfully submit that this application is in condition for allowance.

Respectfully submitted,



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May 12, 2003

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